

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MARK ALLEN and SALVATORE RAPPA,
Individually and On Behalf of All Others
Similarly Situated,

Plaintiffs,

v.

PIXARBIO CORPORATION f/k/a BMP
HOLDINGS INC., FRANCIS M. REYNOLDS,
KENNETH A. STROMSLAND, KATRIN
HOLZHAUS, DAVID A. CASS, DEREK S.
BRIDGES, and LAURA BARKER MORSE,

Defendants.

Case No. 2:17-cv-00496-CCC-SCM

CLASS ACTION

**ORDER AWARDING
ATTORNEYS' FEES, REIMBURSEMENT
OF EXPENSES, AND AWARDS TO LEAD
PLAINTIFFS, NAMED PLAINTIFFS, AND
DERIVATIVE PLAINTIFF**

Hon. Claire C. Cecchi

WHEREAS, the Court has granted final approval to the Settlement of the above-referenced class action;

WHEREAS, The Rosen Law Firm, P.A. ("Rosen Law"), appointed by the Court as Lead Counsel for the purposes of the Settlement have petitioned the Court for the award of attorneys' fees in compensation for the services provided to Lead Plaintiffs and the Class along with reimbursement of expenses incurred in connection with the prosecution of this action, and Awards to Lead Plaintiffs, Named Plaintiffs, and Derivative Plaintiff, to be paid out of the Settlement Fund established pursuant to the Settlement;

WHEREAS, capitalized terms used herein having the meanings defined in the Stipulation and Agreement of Settlement filed September 4, 2019 (the "Settlement Stipulation") (Dkt. No. 132); and

WHEREAS, the Court has reviewed the fee application and the supporting materials filed therewith and has heard the presentation made by Lead Counsel during the final approval hearing on March 13, 2020, and due consideration having been had thereon.

NOW, THEREFORE, it is hereby ordered:

1. Rosen Law is awarded one-third of the Settlement Fund or \$250,000 as attorneys' fees in this action, together with a proportionate share of the interest earned on the fund, at the same rate as earned by the balance of the fund, from the date of the establishment of the fund to the date of payment. Of this award of attorneys' fees, 20%, or \$50,000, shall be awarded to Derivative Counsel, The Brown Law Firm, P.C. ("Brown Law"). Rosen Law shall allocate the remaining \$200,000 in attorneys' fees between Rosen Law and Additional Class Counsel, Gainey McKenna & Egleston.

2. Rosen Law shall be awarded expenses in the amount of \$26,057.85. Brown Law shall be awarded expenses in the amount of \$10,483.22.

3. Lead Plaintiffs Mark Allen and Salvatore Rappa shall each be awarded \$10,000 as an incentive award and reimbursement for their lost time and expenses in connection with their prosecution of this action.

4. Named Plaintiffs Jacqueline Becker and Marvin Becker shall each be awarded \$1,500 as an incentive award and reimbursement for their lost time and expenses in connection with their prosecution of this action.

5. Derivative Plaintiff Michael Schnieders shall be awarded \$1,500 as an incentive award and reimbursement for his lost time and expenses in connection with his prosecution of this action.

6. Except as otherwise provided herein, the attorneys' fees, reimbursement of expenses, and Award to Lead Plaintiffs, Named Plaintiffs, and Derivative Plaintiff shall be paid in the manner and procedure provided for in the Settlement Stipulation.

IT IS SO ORDERED.

Dated: March 13, 2020


HON. CLAIRE C. CECCHI
UNITED STATES DISTRICT JUDGE